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SENATE BILL 720 By
Fowler

HOUSE BILL 1791
By Wood

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5
and Title 71, Chapter 5, Part 1, relative to criminal
background checks on TennCare applicants and enrollees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by
adding the following as a new section:

Section 71-5-191.

(a) The bureau of TennCare shall conduct a criminal background check on all applicants to the TennCare program. The background check shall include investigation by the Tennessee bureau of investigation or the federal bureau of investigation and shall include a criminal National Crime Information Center background check. If the background check reveals that an applicant is a fugitive from justice and wanted for arrest, the bureau shall deny the applicant's TennCare application and refer the matter, together with such relevant information as it may disclose by law, to an appropriate law enforcement agency for appropriate action.

(b) The bureau of TennCare shall bear the cost of such background checks. Any application fee from any applicant shall be applied to the cost of background checks to the bureau on all applicants.

(c) The bureau shall retain the authority to perform criminal background checks anytime throughout the reverification process on TennCare enrollees.

(d) The provisions of this section shall only take effect to the extent permitted by federal law and to the extent that any necessary approvals under the federal waiver for TennCare have been secured from the federal department of health and human services.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.